IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Criminal Miscellaneous No.31051-M of 2006
Date of Decision : September 01, 2006

Jagroop Singh & Another.

.....PETITIONER(S)

VERSUS

State of Punjab.

.....RESPONDENT(S)

. . .

CORAM:- HON'BLE MR. JUSTICE AJAI LAMBA

PRESENT:- Mr. Kewal Singh, Advocate, for the petitioners.

Mr. Eklavya Kumar, Assistant Advocate General, Punjab assisted by Mr. D.D. Sharma, Advocate, for the complainant.

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AJAI LAMBA, J. (Oral)

This is a petition under Section 438 Cr.P.C. for bail in a case lodged under Sections 420, 406, 467, 468, 474 and 120-B IPC.

It is contended that the petitioners are only attesting witnesses to agreement to sell dated 22.11.2004 which had infact been cancelled by the executant. The petitioners are not the beneficiaries. The petitioners have already joined investigation.

The aforestated facts have not been disputed by the learned counsel for the respondent State, on instructions from ASI Darshan Singh.

In view of the above, The petition is allowed. Order dated 23.5.2006 is hereby made absolute and it is directed that in the event of arrest, the petitioners shall be enlarged on bail on furnishing of bail bonds to the satisfaction of the Arresting/Investigating Officer, subject to the following conditions :-

> "(i) The petitioners shall make themselves available for interrogation as and when required;
> (ii) The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and
> (iii) The petitioners shall not leave India without the previous permission of the Court."

This order shall enure till 10 days after the petitioners receive a notice of filing of final report u/s 173, Cr.P.C. within which period, the petitioners would be at liberty to apply for regular bail.

(AJAI LAMBA)
JUDGE

SEPTEMBER 01, 2006
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